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Remarks

Claims 55-60 were pending in the subject application. By this Amendment, Applicants have amended claim 60. No new matter has been introduced. Accordingly, claims 55-60 are currently pending.

In the January 9, 2008 Office Action, the Examiner withdraws the previous rejection of claims 42-50 under U.S.C. §112, first paragraph and double patenting rejection of claims 55 and 57-60.

Rejection under 35 U.S.C. §112, first paragraph - New Rejection

In the January 9, 2008 Office Action, the Examiner rejected claim 60 under 35 U.S.C. §112, first paragraph. Specifically, the Examiner alleged that while the specification enables for treating a subject afflicted with allergic inflammation, asthma, and renal failure associated with an A1 adenosine receptor, it does not enable any disease or all diseases associated with the activity of the A1 adenosine receptor.

In response, without conceding the correctness of the Examiner's argument or relinquishing their right to pursue patent protection for any canceled subject matter, Applicants have amended claim 60 to recite only those diseases which the Examiner deemed to be enabled.

Applicants respectfully request that the Examiner reconsider and withdraw the rejection.